

**COMMONWEALTH OF MASSACHUSETTS
HUMAN RESOURCES DIVISION
SERV PROGRAM GUIDELINES
Revised September 2011**



1. INTRODUCTION

Based on the provisions of Executive Order # 479, *Establishing a Policy for State Employees to Provide Voluntary Services issued in January 2007*, the Commonwealth of Massachusetts has expanded its Mentoring, Foster Care, and School Volunteer Leave Programs to include “Community Service Volunteer” services that address additional community needs, including but not limited to, environmental, educational, health and public safety.

The **State Employees Responding as Volunteers Program (SERV)** gives state employees the opportunity to provide volunteer services to assist in the improvement of the community at accredited non-profit organizations and public entities (including schools). The purpose of these guidelines is to ensure the successful administration of the **SERV** Program for state employees.

2. PROGRAM GOAL

The program goal is to encourage state employees to serve as volunteers within Massachusetts communities thereby helping to improve the educational and economic interests of the Commonwealth and to help create a more just society.

3. ELIGIBILITY

All employees of the Executive Branch and Higher Education Institutions, who have been successfully employed by the state for at least six (6) months **immediately prior to the volunteer request** and have applied for, and received approval from their direct supervisors and agency heads or designees, may participate in the **SERV** Program. Upon returning to the Executive Branch, an employee with a break in service needs to complete six months of employment before being eligible for the SERV program.

Part-time employees are eligible to participate in the program on a pro-rated basis. (The maximum number of volunteer hours allowed per month is pro-rated in accordance with the number of hours an employee works per month).

Seasonal, intermittent, and contract employees are not eligible.

4. DEFINITION OF TERMS

4.1 State Employees Responding as Volunteers (SERV): **SERV** or Volunteer Services Leave permits **eligible** state employees to provide volunteer services within an **accredited non-profit organization and public entity (including schools) in Massachusetts**, during working hours. The type of volunteer services leave can fall into 4 categories: Mentoring, Foster Care, School Volunteer or Community Service.

Volunteer services must be done in conjunction with an approved organization. The organization would have to be a public entity (including public schools) or an accredited and registered non-profit (registered with the Massachusetts Secretary of State's Office and in good standing with The Attorney General's Office as a charity.)

The activity must address a service need of the state's schools, communities, or citizens (health and human services needs) related to of Education, Health, Public Safety, or the Environment. The activity must be non-partisan and non-profit. An employee may not use volunteer leave to participate in any work or organization that could be considered political or partisan. The volunteer activities must not attempt to influence legislation, governmental policy, or elections to public office. In addition the volunteer activities must not promote religion as the Massachusetts State Constitution (Amendment XVIII, § 2) prohibits public funds from supporting religious institutions.

A maximum leave benefit is defined as equivalent to one work day per month, without loss of salary or benefits. The maximum allowable number of leave hours is 7.5 or 8 hours per month, depending on the normal work day for the employee's position. The employee may volunteer for one full work day monthly or in increments of two half-days, or for shorter periods which do not, in total, exceed the equivalent of one work day, depending on the needs of his/her agency and the needs of the volunteer program. The leave time does not cover the commute to and from the volunteer site or time the employee volunteers after his or her regularly scheduled work hours. The employee may not receive any direct compensation or benefits from the volunteer position.

(NOTE: The total maximum volunteer leave allowance is the equivalent of one work day per calendar month, even in cases where employees choose to participate in more than one employee volunteer program, including the mentoring, foster care, school volunteer and community service leave programs).

4.2 Mentoring Programs: There are three types of mentoring programs in which an eligible employee may become involved:

1. Type One: **Tutoring** programs for youths age 5-21, such as MCAS and other academic tutoring offered by local public schools or non-profit organizations.
2. Type Two: **Site-based mentoring** programs, such as the Dorchester High School National Academy of Public Service Mentor Program. To find a site-based mentoring program close to where you work or live, link to the Mass Mentoring Partnership website at www.massmentors.org. When you find a program, call the Human Resources Division at 617-878-9710 to determine if it is on HRD's list of approved mentoring programs. If a mentoring program is not on HRD's approved list, an employee may request HRD to review the program for inclusion.
3. Type Three: **Community-based**, one-to-one mentoring programs, such as Big Brothers or Big Sisters of Massachusetts.

- 4.3 School Volunteer Programs:** An eligible employee has the opportunity to benefit Massachusetts school children by volunteering in public or charter schools. Public schools outside of Massachusetts are not covered even if the employee resides out of state. Private schools, pre-school*, or home schooling programs in any state do not qualify.

* Certain activities in pre-school may qualify under community services leave.

Public School: Any school or school system in the Commonwealth funded through Chapter 70 of the Massachusetts General Laws, excluding Chapter 766 privately operated schools.

Charter School: A Commonwealth Charter School shall be a public school, operated under a charter granted by the Board of Education, which operates independently of any school committee and is managed by a board of trustees.

School Volunteer Services: School Volunteer Services are defined as services performed in compliance with the general guidelines of the SERV Program performed during an employee's regular working hours which are approved by the employee's supervisor, agency head/designee, and which assist in the improvement of public or charter schools, or the educational achievement of school children.

Please see Appendix I for examples of acceptable volunteer services and Appendix II for activities not authorized under this leave.

- 4.4 Foster Care Leave:** Leave time for employees to make necessary preparations and to attend legal proceedings related to their foster care of DCF children.
- 4.5 Community Service Leave:** An eligible employee has the opportunity to volunteer in other capacities to address community needs, including, but not limited to, the areas of education, environment, health or public safety.

Non-profit organizations:

Nonprofit corporations are organizations that are formed in the manner prescribed in M.G.L.Chapter 156B, sections 11 to 13, for a purpose recognized by M.G.L.Chapter 180, section 4. They must be registered with and in good standing with the Massachusetts Secretary of State and Attorney General's Office and be recognized by the IRS under section 501(c)3. They must specifically provide services to the citizens of Massachusetts.

Public entities: Public programs sponsored by municipalities, counties, or the federal government, including but not limited to schools.

Community or Site-based volunteer opportunities: To find a community or site-based volunteer program refer to HRD's list of approved programs which can be found at the following link: www.mass.gov/serv. A preliminary list is also found in Appendix III.

Political organizations are not eligible. In addition the volunteer activities must not promote religion as the Massachusetts State Constitution (Amendment XVIII, § 2) prohibits public funds from supporting religious institutions. If a program is not on HRD's approved list, an employee may request HRD to review the program for inclusion.

5. **PROCEDURES FOR THE OPERATION OF THIS PROGRAM**

Any employee who wishes to participate in the SERV Program begins with identifying an approved volunteer services leave program. The employee then contacts the chosen program to discuss the program's requirements with regard to the screening process, time commitment expectations, etc., and to explain the Commonwealth's program in regard to the potential commitment to volunteer for up to one work day per month. **The employee should provide the organization with a copy of these SERV Guidelines prior to volunteering.**

Employees should inform the chosen volunteer services leave program that state agency approval must be received before the employee can proceed to volunteer. Employees should submit a separate request for each time they would like to volunteer, with sufficient advance notice (30 days or less if approved by the agency) of the desired volunteer date(s) to minimize disruptions in work schedules.

When state agency approval is received, prospective volunteers must agree to follow all screening procedures (including a background check, if required), mandated by the chosen program.

No state employee shall engage in activities prohibited by the State Ethics Commission. For general information see the Commission's website, www.mass.gov/ethics. For free confidential advice, contact the State Ethics Commission at 617-371-9500.

6. ORIENTATION PROGRAM

The prospective volunteer must attend a training/orientation session **provided by the chosen program if one is offered** before beginning to serve as a volunteer.

(Please note: any leave time needed for volunteer training or periodic meetings required by the chosen volunteer program must fall within the 7.5 or 8.0 hours authorized leave per month. No additional leave time will be allowed for such purposes).

7. APPROVAL PROCESS

The employee discusses his/her request to participate in the SERV Program with his/her direct supervisor and submits a completed SERV Program Leave Request Form to his/her supervisor in a timeframes allowed by agency (maximum 30 calendar days) before the requested volunteer date(s). (See attached form).

The supervisor reviews the request and either approves or denies it, taking into consideration the following criteria:

- Business needs of the agency
- Conformance of the request with all program rules
- Work history which includes employee performance, attendance, disciplinary action, and other information about their work performance

The employee is to be notified of approval or denial of his/her request. If the request is denied, the reason must be written on the form and a copy given to the employee. All requests, whether approved or denied by the supervisor, must be reviewed by the agency head or designee for conformance with all program rules. Based upon sound reason, the agency head or designee has the option to reverse the supervisor decision. Approval of leave time on individual requests does not imply all future requests will be approved or create an expectation that approval is automatic. There may be occasions when the approval for an individual request needs to be rescinded because of an urgent operational need.

8. APPROVED LEAVE

Payroll: If the request is approved, the payroll coordinator should be advised so that the appropriate payroll records can be maintained. The following HR/CMS time reporting code will be used to reflect SERV (Volunteer Services) Leave as of September 14, 2011:

Time Reporting Code	Brief Description
VOL	Volunteer Service Leave Pd

Please note that as of 9/14/11, the codes VSL, CSV, and MEN will no longer be used. Please refer to the HR/CMS Knowledge Center at <http://www.hrcms.state.ma.us> for information on where this code should be recorded. If you have further questions, please contact the HR/CMS help desk, at 866-888-2808.

9. AGENCY RESPONSIBILITY

It is the agency head's (or designee's) responsibility to ensure the integrity of employees' participation in the program and to prevent any abuse of volunteer leave.

10. RECORD KEEPING

An employee must submit a Verification of Volunteer Services Form (attached) to his/her supervisor **each time** volunteer services are provided. Specific information regarding the dates and times of volunteering sessions is to be included on the form. This form must be signed by an authorized person on behalf of the chosen program.

The verification forms should be maintained by agency Human Resources Departments. It is the responsibility of agency's Human Resources Department to ensure that the services performed match the program description submitted by employees in their SERV Program Leave Request Form.

The employee should also indicate the appropriate leave code on his/her department time sheet.

11. OTHER AGENCY RESPONSIBILITIES

Agency Human Resources Departments are responsible for monitoring any agency-wide policies that may affect the program. Agency Human Resources Departments are also responsible for compiling employee participation data and for responding to survey requests from HRD.

12. EMPLOYEE STATUS

An employee who is granted paid leave time pursuant to this program shall not be considered to be acting within the scope of employment for the purposes of Chapter 152 of the Massachusetts General Laws (Workers' Compensation); nor shall the Commonwealth be liable for any acts or omissions of said employee while released for volunteer purposes. Volunteers are expected to follow the rules and regulations of mentoring programs in which they participate.

Questions may be sent by email to: hrd-dl-policyunit@massmail.state.ma.us

APPENDIX I

Examples of Acceptable Activities under Leave Policy

Volunteer activities must be done in conjunction with an approved organization. The organization would have to be a public entity (including public schools) or an accredited and registered non-profit (registered with the Massachusetts Secretary of State's Office and The Attorney General's Office as a charity.) In addition, the volunteer activities must not promote religion as the Massachusetts State Constitution (Amendment XVIII, § 2) prohibits public funds from supporting religious institutions.

School Volunteer

- Serving on non-elected school boards or committees
- Assisting teachers in the classroom, including the preparation of classroom materials
- Tutoring or mentoring students
- Acting as chaperone on educational school field trips
- Providing computer and/or library assistance
- Using carpentry or other skills to assist with a school program or activity
- Working on special events such as drug and alcohol prevention programs
- Ground clean-up drives
- Other activities that meet the intended goals of the program, as authorized by Executive Order #479 and Section 31E of MGL Chapter 29

Educational

- Adult basic education programs
 - Basic literacy
 - ESL English for non-native speakers of English
 - Numeracy
 - High school equivalency (GED)
 - Adult diploma programs (ADP)

See Dept. of Elementary and Secondary Education website for links to some programs: <http://acls.doemass.org/pDirectoryBrowse?category=siteType>

- Book deliveries to the elderly
- Adult Literacy programs – see Board of Library Commissioners website <http://mblc.state.ma.us/libraries/literacy/listing.php>
- Health education/prevention programs
- Museums (education programs only for example serving as a tour guide, interpreting exhibits, organizing group visits)
- Preschools
- Reading/Recording for the Blind
- Public safety education programs (drunk driving, fire safety, seatbelts)
- Public Library educational programs
- State and community colleges

Environmental

- Clean-up events at beaches and parks owned by federal or local government
- “Friends groups” of state and federal (national) parks and forests in Massachusetts
- Municipal conservation commissions (environmental employees should check for any conflicts of interest)
- Recycling programs

Health

- Blood Donor Drive volunteer (for blood donations – see separate Blood Donor Leave policy)
- Community Health screenings
- Developmental disability centers and care facilities for those with developmental disabilities
- Health education programs such as smoking cessation
- Home health agencies
- Hospices
- Hospitals
- Inpatient rehab facilities
- Intermediate Nursing care facilities
- Relief to physically or mentally challenged persons
- Services to individuals who are blind, visually impaired, or deaf

Human Services

- Local Councils on Aging
- Delivering meals to elderly or needy citizens
- Food banks and food pantries
- Local hunger relief organizations
- Homeless shelters
- Veterans outreach centers
- Sorting/organizing/distributing donated goods
- Acknowledging donations

Public Safety

- Drug prevention programs
- Drunk driving education
- Emergency preparedness
- First Aid/CPR programs
- Fire Safety Programs
- Public safety events, such as National Fire Prevention Week, National Child Passenger Safety Week etc.

Appendix II
Activities Not Permitted under Leave Policy

- Commuting to and from volunteer site (not paid leave time)
- Any volunteer activities at acceptable institutions that involve receipt of compensation or benefits
- Volunteering in other Executive Branch state agencies
- Volunteer activities that promote religion, as the Massachusetts State Constitution (Amendment XVIII, § 2) prohibits public funds from supporting religious institutions.
- Organizations which are for-profit
- Volunteer activities located in other states such as New Hampshire, Rhode Island, etc. even if the employee resides out of state.
- Coaching sports teams or related youth sports/entertainment activities
- Volunteering to provide a service to a nonprofit or city or town that an employee's state agency already offers (i.e. offering educational seminars to nonprofits on a specific topic if the state agency offers these seminars to nonprofits free of charge as a service as part of their regular business)
- Volunteering for an immediate family member as defined by the Sunshine Policy (spouse, child, parent, sibling). Example: Being trained or supervised by an immediate family member. A family member also cannot complete the SERV verification form.
- Providing direct services to an immediate family member as defined by the Sunshine Policy (i.e. delivering Meals on Wheels to a parent, reading to a relative who is blind, etc.) except public school volunteer group class activities of which an immediate family member is included.
- Volunteering for a nonprofit which was founded an employee or their immediate family member
- State employees will be required to secure a State Ethics opinion if an agency feels the volunteer work might be perceived as a conflict of interest – especially in municipal work related to the employee's work functions. The employee will need to share the opinion with their agency.
- Using SERV time to do volunteer work in an elected position in municipal government.
- Facilitating any type of gambling or gaming such as BINGO for the elderly
- Acting as a substitute teacher
- Working in the school cafeteria preparing or serving food
- Performing routine maintenance, such as sweeping or washing floors at a public school.

- Activities designed to promote religious belief such as teaching or leading religious assemblies or in raising funds to support religious activities
- Service provided through a church where the only recipients of the service are constituents of the church (i.e. painting the church, yard work)
- Activities involving political groups or causes
- Handing out election brochures, transporting voters, or other partisan campaigning
- Participation in recreational or athletic activities
- Fundraising including attending or participating in a fundraising or charity event; soliciting funds via phone or mail; organizing a fundraising event
- Participating in parades, road races, carnivals, fairs or any other sports or entertainment event
- Handling, processing, or being involved in financial transactions involving cash, checks, credit cards, debit cards, etc.
- Sales work of any kind including ticket sales, gift shop, parking lot cashier, etc.
- Activities involving physical contact/touch such as healing massage
- Professional or career networking groups
- Animal hospitals and animal shelters